GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Lands – Scheme for Regularization of Encroachments/ Occupations in Government Land within Gajuwaka Revenue Village area, Visakhapatanam District by way of structures upto 1000 Sq.Yards – Orders - Issued.

REVENUE (ASSN.I) DEPARTMENT

G.O.Ms.No.301. Dated 05-07-2016.
Read the following:

1) G.O.Ms.No.7, Revenue (Assn.I) Department, dated 04.01.2003.
2) G.O.Ms.No.44, Revenue (Assn.I) Department, dt.11.01.2008.
3) From the District Collector, Visakhapatnam, Letter Roc.No.5693/ 2003/F3, dated 23.10.2015.
4) From the C.C.L.A., A.P., Hyderabad, Letter No.Assin.I(1)/10/ 2015, dated 30.01.2016

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O R D E R:

It has been brought to the notice of the Government that a large number families have encroached/occupied Government lands within Gajuwaka Revenue Village area, Visakhapatanam District and constructed structures and represented to regularize these encroachments as many of the encroachments are unobjectionable and the regularization on one hand will remove the hardships of the people and on the other hand will enable the Government and the concerned urban local bodies to have a planned development in these localities.

2) The matter has been examined in consultation with the Chief Commissioner of Land Administration, A.P. Accordingly, a Scheme for Regularization of Encroachments/ Occupations in Government Land within Gajuwaka Revenue Village area, Visakhapatanam District by way of structures upto 1000 Sq.Yards as Annexed to this order is hereby approved, subject to outcome of W.P.No.6639 of 2003 pending before the Hon'ble High Court, as a special case and this order shall not be precedent case to any other cases in future.

3) The Chief Commissioner of Land Administration, A.P., and the District Collector, Visakhapatnam may issue necessary guidelines for smooth implementation of the Scheme.

4) Necessary action shall be taken accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.C.SHARMA,
SPECIAL CHIEF SECRETARY TO GOVERNMENT.

To
The Spl.CS & Chief Commissioner of Land Administration, A.P., Hyderabad.
The District Collector, Visakhapatnam.
Copy to
PS to Spl.C.S. to Hon'ble Chief Minister.
OSD to Ho'ble Deputy Chief Minister (Revenue)
PS to Chief Secretary.
PS to Spl.Chief Secretary (Revenue-LA).
SF/SC.

// Forwarded :: By order //

SECTION OFFICER.

P.T.O. ... for ANNEXURE

A N N E X U R E

(To G.O.Ms.No.301, Revenue (Assn.I) Dept., dated 05-07-2016)

Scheme for Regularization of encroachments/ occupations in Government Land within Gajuwaka Revenue village area, Visakhapatanam District by way of structures upto 1000 Sq.Yards.

1) Nomenclature

This will be called "Regularization of Unobjectionable Encroachments/ occupations in Government Land within Gajuwaka Revenue village area, Visakhapatanam District by way of structures (upto 1000 Sq.Yards) 2016.

2) Date of coming in to operation

The scheme will come in to operation from the date of issuance of the order.

3) Cut-off date for encroachment/occupation

The cut-off date for encroachment**/**occupation with structures will be **1st January, 2014.**

4) Only Structures to be considered

The Encroachments/occupations by way of structure only will be considered. Vacant sites shall not be considered**.**

5) Maximum area for consideration

The maximum area for consideration will be 1000 sq.yads.

6) Maximum extent for Regularization, Amount payable and regularisation and Authorities for Approval

The Maximum extent to be considered for regularization will be **1000 Sq.Yards.** The amount payable for Regularization and Authorities for approval of applications will be as per the table given below :-

Extent in Sq.Yds.	Rupees per Sq.Yard	
	For Residential (per Square Yard)	For Commercial (per Square Yard)
1 to 100	Free of cost	Free of cost
101 to 200	Rs.25/-	Rs50/-
201 to 400	Rs60/-	Rs120/-
401-1000	Rs500/-	Rs1000/-

7) Mode of payment

The amount will be payable to Government through Challan. Maximum four (4) equal quarterly instalments will be permitted. The entire amount will be paid within one year from the date of receipt of approval. After completion of payment of cost, the District Collector/ Authorized Officer will execute a deed of conveyance in favour of the applicant. Registration and Stamp duty shall be paid by the applicant.

8) Proof of Occupation

The following documents may be accepted as proof of occupation

a) Registered document
b) Property Tax receipt
c) Electricity bill receipt
d) Water bill receipt
e) Any other proof to establish occupation / possession over the land.

Contd. ….

9) Filing of application

The application may be filed within 120 days from the date of coming into operation of the Scheme at any "Mee Seva" Centre in the proforma to be prescribed by the Spl.C.S. & Chief Commissioner of Land Administration. However, the District Collector, Visakhapatnam and the Spl.C.S.& C.C.L.A., shall make endeavour to complete the process of filing of application within 90 days. If no application is filed within the stipulated period, necessary action to remove the encroachment shall be taken as per law.

10) Processing of Application

(i) All applications received in "Mee Seva" shall be forwarded to the Tahsildar concerned.

(ii) A team consisting of Revenue & Municipal staff shall conduct field inspection and give report.

(iii) The Tahsildar/RDO will examine the report

(iv) On such examination if the applicant is found eligible, the Tahsildar shall send his recommendation to the RDO, Visakhapatnam.

(v) The CCLA/ District Collector will prescribe necessary proformae and Check Lists as may be required.

11) Approval Committees

(i) A Sub-Division Level Approval Committee (SDLAC) will be constituted (to consider the cases up to 400 Sq. Yards) with the following Officers :-

1. R.D.O., Visakhapatanam – Chairman
2. Town Planning Officer – Member
3. Tahsildar, Gajuwaka - Member-Convener

(ii) A District Level Approval Committee (DLAC) will be constituted (to consider the cases from 401 to 1000 Sq.Yards) with the following Officers

1. Joint Collector-1, Visakhapatanam – Chairman
2. Municipal Commissioner – Member
3. VC & MD, Urban Development Authority concerned -Member
4. District Revenue Officer - Member-Convener

(iii) The Committee at each level will take a decision within 90 days from the date of receipt. Otherwise, the application will be deemed to have been approved.

12) Regularization only in Unobjectionable Encroachments

Only Unobjectionable Encroachments in Government Lands will be considered for Regularization. No Regularization shall be considered in respect of the following cases :-

a) Sites affected under the alignment of Master Plan / Zonal Development Plan/ Road Development Plan.
b) Constructions which have come up in open spaces of approved layouts.
c) Constructions made on alignment of Water bodies, Grave Yards, Foreshore or FTL areas of drinking water tanks / Irrigation tanks and treatment areas.
d) Areas earmarked for treatment plants, Green belts, buffer zone etc.
e) Sites required for public purpose.
f) Public footpaths.

Contd. ….

13) Appeals

(i) Any one aggrieved by the orders of RDO, Visakhapatanam may file appeal before the Joint Collector–I within (30) days from the date of receipt of order. The decision of Joint Collector-I will be final.

(ii) Any one aggrieved by the orders of the Joint Collector–I may file appeal before the C.C.L.A., within (30) days from the date of receipt of order. The decision of the C.C.L.A., will be final.

(iii) Any one aggrieved by the orders of the CCLA may file appeal before the Government within (30) days from the date of receipt of order. The decision of the Government shall be final.

14) Right to alienate

Alienable rights shall automatically vest at the expiry of five (5) years from the date of execution of conveyance deed in favour of the applicant.

J.C.SHARMA
SPECIAL CHIEF SECRETARY TO GOVERNMENT.